

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:) CASE NO.: 09-03102
)
PETER J. VERNA,) CHAPTER 7
XXX-XX-4258)
)
Debtor.)
)

MOTION OF BB SYNDICATION TO EXTEND TIME TO OBJECT TO DISCHARGE

COMES NOW BB Syndication Services, Inc. (“BB”), a creditor and party-in-interest in the above-referenced bankruptcy estate, by and through its counsel and moves (the “Motion”) this Court to extend the time to object to the discharge of Peter J. Verna (“Debtor”). In support of this Motion, BB shows unto the Court the following:

1. This matter is a core proceeding pursuant to 28 U.S.C. §157, and this Court has jurisdiction pursuant to 28 U.S.C. §§151, 157, and 1334. The Court has the authority to hear this matter pursuant to the General Order of Reference entered by the United States District Court for the Western District of North Carolina.
2. The Debtors filed a voluntary bankruptcy petition under Title 11, Chapter 7 of the United States Code, 11 U.S.C. §§ *et seq.* (the “Bankruptcy Code”) on May 26, 2009 (the “Petition Date”). R. Keith Johnson was appointed as the Chapter 7 Trustee.
3. Rule 4004(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules) provides that the Court may, for cause, extend the time fixed for filing complaints objecting to a debtor’s discharge upon the motion of a party in interest, provided that such motion is made before the time for filing such complaints has expired.

4. The time for filing objections to the Debtors' discharge pursuant to Bankruptcy Code §727(a) will expire on or about August 31, 2009, and such time has not expired.

Wherefore, BB prays for the Court to extend the time for filing complaints objecting to the discharge of the Debtors pursuant to 11 U.S.C. §727(a) for an additional sixty (60) days from the date of the entry of an Order allowing such extension.

Dated: August 28, 2009.

POYNER SPRUILL LLP

By: /s/ Diane P. Furr

Diane P. Furr
N.C. State Bar No. 10339
301 South College Street, Suite 2300
Charlotte, NC 28202
Telephone: (704) 342-5250
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ATTORNEYS FOR BB SYNDICATION SERVICES, INC.

UNITED STATES BANKRUPTCY COURT
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NOTICE OF OPPORTUNITY FOR HEARING

TAKE NOTICE that a *Motion Of BB Syndication To Extend Time To Object To Discharge* ("Motion"), has been filed on this date. A copy of the Motion accompanies this Notice.

TAKE FURTHER NOTICE that any response, including objection, to the relief requested in the Motion should be filed with the Clerk of the Bankruptcy Court within FIFTEEN (15) days of this Notice. You must also mail a copy to:

R. Keith Johnson
Chapter 7 Trustee
1275 South Hwy 16
Stanley, NC 28164

Diane P. Furr
301 South College Street, Suite 2300
Charlotte, NC 28202

and all other parties in interest. Any response shall clearly identify the Motion to which response is directed, and it shall comply fully with Local Bankruptcy Rule 9013-1.

TAKE FURTHER NOTICE that if no request is filed in a timely manner, no hearing will be held, and the court will consider the matter on the record and enter its ruling.

TAKE FURTHER NOTICE that if a response is timely filed and served, the court will conduct a hearing on Monday, September 28, 2007 at 9:30 a.m. at the United States Bankruptcy Court at the Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, North Carolina. No further notice of this hearing will be given.

Dated: August 28, 2009.

POYNER SPRUILL LLP

By: /s/ Diane P. Furr

Diane P. Furr
N.C. State Bar No. 10339
301 South College Street, Suite 2300
Charlotte, NC 28202
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Facsimile: (704) 342-5264
ATTORNEYS FOR BB SYNDICATION
SERVICES, INC.

CERTIFICATE OF SERVICE

I, Diane P. Furr, of Poyner Spruill L.L.P. certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on this date, I served a copy of the foregoing *Motion to Extend Time to Object to Discharge and Notice of Opportunity for Hearing* on:

Peter J. Verna, Registered Agent
Verna Construction, Inc.
428 E 4th Street, Suite 300
Charlotte, NC 28202

Richard Mitchell
Mitchell & Culp, PLLC
1001 Morehead Square Drive, Suite 330
Charlotte, NC 28203

R. Keith Johnson
Chapter 7 Trustee
1275 South Hwy 16
Stanley, NC 28164

by depositing same in the United States mail, first class, postage prepaid.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: August 28, 2009.

POYNER SPRUILL LLP

By: /s/ Diane P. Furr
Diane P. Furr
N.C. State Bar No. 10339
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